

REMARKS

This application has been carefully reviewed in light of the Office Action dated October 2, 2008. Claims 1-16 are currently pending in the application, with Claims 1, 7, 9 and 13 being independent claims. Claim 7 has been amended. No new matter is believed to have been introduced to the application by this amendment. Support for the amendments can be found, for example, on page 7 of the originally filed specification. Reconsideration and further examination are respectfully requested.

In view of the foregoing remarks, all of the claims under consideration are believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

SPECIFICATION

Applicants' Amendment filed July 19, 2007, is objected to under 35 U.S.C. § 132(a) because it allegedly introduces new matter into the disclosure. Specifically, the Office Action contends “[a] computer readable medium” is not supported by the original disclosure. Applicants respectfully disagree with this contention.

The originally filed disclosure on page 7 discloses that a “computer network-based education support system” is provided in the disclosure. The originally filed disclosure on page 28 discloses “FIG. 1C, generally at 100, represents an embodiment of the present invention relating to the web browser, web server, application and database components.” Applicants further disclose that computer servers can store data in a database. Subject Application, Originally Filed Disclosure on page 65. Applicants respectfully submit that it is well understood to those of skill in the art that data stored in a database of a computer system is stored on a computer readable-medium.

Accordingly, Applicants submit that a “computer readable medium” is supported by the original disclosure, and therefore that the Amendment filed July 19, 2007, does not introduce new matter into the disclosure.

Reconsideration and withdrawal of the objection to the Amendment filed July 19, 2007, under 35 U.S.C. § 132(a) are respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112

Claims 13-16 are rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. Specifically, the Office Action contends “[a] computer readable medium” is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

For at least the reasons discussed above with reference to the objection under 35 U.S.C. § 132(a), Applicants respectfully disagree with this contention and submit that a computer readable medium is described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Reconsideration and withdrawal of the rejection of Claims 13-16 under 35 U.S.C. § 112, first paragraph, are respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 101

Claims 7, 8, and 13-16 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Specifically, the Office Action contends that the system of Claim 7 would be reasonably interpreted by one of skill in the art as software per se. Without conceding the correctness of this rejection, and to expedite prosecution of the present application, Applicants have amended Claim

7, which claims an extensible educational system, to recite “a computer comprising the extensible education system.” Accordingly, Applicants submit amended Claim 7 recites statutory subject matter under 35 U.S.C. § 101.

The Office Action also contends that the computer-readable medium recited in Claim 13, which is allegedly disclosed in the specification to include an “electronic medium” or “electronic network” that includes signals, is not enabled to act as a computer hardware component with the necessary hardware to receive and convert the signals to computer code. For at least the reasons discussed above with reference to the objection under 35 U.S.C. § 132(a) and the rejection under 35 U.S.C. § 112, first paragraph, Applicants respectfully disagree with this contention and respectfully submit that the computer-readable medium of Claim 13 is not limited to software per se and is thus statutory.

Reconsideration and withdrawal of the rejection under 35 U.S.C. § 101 of Claims 7 and 13, and Claims 8 and 14-16 which depend therefrom, are respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102 and § 103

Claims 1-5 and 7-16 are rejected under 35 U.S.C. § 102(b) as being anticipated by Helmick, et al. U.S. Patent No. 6,470,171 (“Helmick”). Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Helmick.

In order to anticipate the claims of an invention under 35 U.S.C. §102, a single prior art reference must identically disclose each and every element of the claimed invention. MPEP Section 2131; Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). A rejection under 35 U.S.C. § 103 in view of a prior art reference can be properly sustained if the references either expressly or impliedly suggest the claimed

invention. MPEP Section 706.02(j); Ex parte Clapp, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).

It is respectfully submitted that Helmick fails to satisfy these very high burdens. Specifically, Helmick nowhere teaches or suggests invoking an enhanced system functionality by using a modified user interface, as recited in Claim 1, or a plug-in manager configured to add new functionality to an extensible education system, as recited in remaining independent Claims 7, 9, and 13. In this regard, Applicants, for example, disclose “provid[ing] a data structure and/or Application Program Interface (API) that allows the logic in a text editor component to be expanded to utilize text tools that are associated with application specific data,” and “[a] secondary text editor which resides on system 100 as an application subsystem as a system tool permits instructors and students to have an enhanced ability to edit content provided by the system.” Subject Application, Originally Filed Specification pp.8, 30-31.

The Office Action contends that Helmick’s disclosure at col.7 ll.39-41 “[s]erver 36 stores a database structure in secondary storage 50, for example, for storing and maintaining information for on-line educational courses” teaches Applicants’ claimed “installing on a server a file compatible with a known application program interface (API), wherein the installed file utilizes the known API to provide a modified user interface to at least one user of the system.” Applicants respectfully disagree with this contention. The storage of a database structure in secondary storage, such as for storing information for on-line educational courses, does not teach or even suggest utilizing a known API to provide a modified user interface. Storage of data does not equate to providing a user interface, let alone utilizing a known API to provide a modified user interface, nor does the Examiner provide any reason or specific teaching in Helmick that

would even suggest that the storage of a database equates to utilizing a known API to provide a modified user interface.

The Office Action also contends Helmick discloses an enhanced system functionality using a modified user interface in FIGS. 3A-3X. Applicants respectfully disagree with this contention. Helmick states that “FIGS. 3A-3X are diagrams of screens permitting instructors, users, and others to interact with an on-line educational system.” Specifically, according to Helmick:

- FIG. 3A is a diagram of a home page screen for an instructor.
- FIG. 3B is a diagram of a home page screen for a user.
- FIG. 3C is a diagram of a document sharing screen.
- FIG. 3D is a diagram of an e-mail class screen.
- FIG. 3E is a diagram of a gradebook screen for an instructor.
- FIG. 3F is a diagram of a gradebook screen for a user.
- FIG. 3G is a diagram of a message center screen.
- FIG. 3H is a diagram of a chat room screen.
- FIG. 3I is a diagram of a journal screen.
- FIG. 3J is a diagram of a notebook screen.
- FIG. 3K is a diagram of a webliography screen.
- FIG. 3L is a diagram of a threaded discussion screen.
- FIG. 3M is a diagram of a grading or exam screen.
- FIG. 3N is a diagram of an administrative pages screen.
- FIG. 3O is a diagram of an enrollment status screen.
- FIG. 3P is a diagram of a user status screen.
- FIG. 3Q is a diagram of an enrollment screen.
- FIG. 3R is a diagram of a message screen.
- FIG. 3S is a diagram of a user reports screen.
- FIG. 3T is a diagram of a course reports screen.
- FIG. 3U is a diagram of a university reports screen.
- FIG. 3V is a diagram of a course manager screen.

- FIG. 3W is a diagram of a course manager unit screen.
- FIG. 3X is a diagram of an add content screen for a course manager.

Helmick, col.3 l.52 to col.4 l.19. Helmick does not anywhere teach or suggest that any of these figures, or their respective descriptions, teach or suggest an enhanced system functionality using a modified user interface.

Accordingly, Helmick does not teach or suggest the features of the independent claims, namely, an enhanced system functionality by using a modified user interface, as recited in Claim 1, or a plug-in manager configured to add new functionality to an extensible education system, as recited in remaining independent Claims 7, 9, and 13. Furthermore, because the remaining dependent claims depend from at least one of the independent claims, and for reasons of their additional patentable limitations, the remaining claims also could not have been anticipated by or obvious in view of the applied references. Therefore, Applicants respectfully request that the Examiner withdraw the rejections of Claims 1-16 under 35 U.S.C. § 102(b) and 103(a).

CONCLUSION

Applicant respectfully requests immediate allowance of the present application, the claims of which define patentable subject matter.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

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